

NOV 25 2013

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. JUDLEY, CLERK
BY:  DEPUTY CLERK

UNITED STATES OF AMERICA,)	CASE NO. 7:12CR00014
)	(CASE NO. 7:12CV80629)
)	
v.)	<u>FINAL ORDER</u>
)	
)	
RODOLFO NUNEZ PONCE,)	By: Glen E. Conrad
)	Chief United States District Judge
Defendant.)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that the defendant's letter/motion for more time to file a notice of appeal (ECF No. 30) is **DENIED**; and the conditionally filed motion to vacate, set aside or correct the sentence under 28 U.S.C. § 2255 (ECF No. 33), which was filed for administrative reasons only as CASE NO. 7:12CV80629, is **DISMISSED WITHOUT PREJUDICE** and stricken from the active docket of the court. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

ENTER: This 25th day of November, 2013.



Chief United States District Judge